ENVIRONMENTAL MONITOR

The Heartland

Camp Beauregard, LA c.1941

U.S. Army Central Regional Environmental Office, Kansas City, MO - Serving Regions VI & VII Summer 2000

Fort Riley's Efforts to Keep History Alive Recognized by the Secretary of the Army

By the Army News Service
Washington, DC

Fort Riley, KS, was recently recognized in the inaugural year of an awards program that celebrates efforts to keep history alive. The Secretary of the Army Awards for Historic Preservation program held its first-ever ceremony May 16 at Fort McNair in Washington, D.C. This was in conjunction with National Preservation Week. The awards program is designed to recognize excellence in all aspects of managing historic buildings and districts located on Army posts in the United States.

"These properties cover a broad spectrum of historic eras, architectural styles, building types, and land uses," said Mahlon Apgar IV, Assistant Secretary of the Army for Installations and Environment. "But they're more than bricks and mortar. What they are is a significant part of our national heritage, telling the story of America one Army post at a time."

In his position, Apgar oversees the Office of Historic Properties, formed in April 1999.

"Our challenge in managing historic properties now is to move beyond mere compliance—a reactive policy—and pursue bolder resource management initiatives, adapting and reusing historic properties for current and future needs. In short, a proactive strategy," Apgar continued.

According to officials at the Office of Historic Properties, there are currently 12,000 historic buildings in the Army's inventory. Another 70,000 are at least 20 years old and will need to be evaluated for their historical significance over the next 30 years, officials said.

The office's mission is raising awareness of and exploring and testing creative uses for the Army's historic buildings. The staff also tries to promote partnerships between the Army and nonprofit, public or private organizations to renovate, restore and preserve.

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Fort Riley chapel is part of the Main Post Historic District. *Photo courtesy of Ft. Riley.*

Fort Hood Celebrates Earth Day ... see page 4

Fort Hood Spring Cleanup activity as part of Earth Day 2000 celebrations. *Photo courtesy of Ft. Hood.*

In This Issue

Chief Commentary

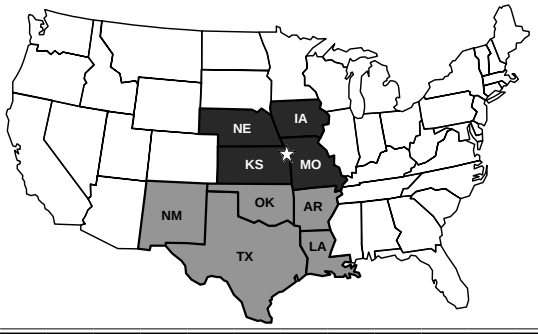
Michael L. Cain - ***CREO Chief/DoD Region VII REC***
michael.l.cain@usace.army.mil

How NEPA saved an elephant. It's been a while since President Nixon signed the National Environmental Policy Act (NEPA) into law. The law has not changed, but its value has escalated. The point of NEPA is really two-fold: 1.) for federal decisionmakers to consider every significant aspect of the environmental impact of a proposed action before that action takes place and; 2.) to ensure that the federal agency informs the public that it has indeed considered environmental concerns in its decisionmaking process. In order to implement NEPA, the military services have developed policy, guidance and regulations to explain when and how NEPA applies to their installations. It is left up to individual posts, camps, stations and bases to apply NEPA to their decision-making process. The local application of NEPA has proven to be a good tool for preserving and protecting resources over and over again. This brings us to the elephant.

My former installation was in the process of repairing its range roads. These gravel roads carry heavy tracked vehicles to and from ranges and firing points, 24 hours a day, 7 days a week. The repair project would require a new earth "borrow area" to be established to provide more fill material than was available at the repair site; our installation SOP required that all **new** DPW work orders to be reviewed by the post's environmental office for NEPA applicability. This process kept the installation out of hot water before, and this time it would save an elephant. These NEPA reviews usually resulted in a "categorical exclusion" (CX) document being written. Full blown Environmental Assessments (EAs) and Environmental Impact Statements (EISs) were very rare. The road repair project was evaluated as a CX.

To make a long story short, the post's archeologist and I inspected the borrow area for environmental impacts. During the process we discovered bone fragments from an extinct mammoth that had died 20 to 30 thousand years before. This elephant fell on the very spot that was designated for the road repair "borrow area." The fix was easy. We found another site that would meet our construction needs and the post protected the mammoth site for future study. The road got repaired and the Army saved an elephant from becoming "road kill."

The NEPA process enables installation commanders to protect natural, cultural and archaeological resources. This incident is not unique to this experience. It happens all the time at DoD installations. NEPA is working! It's all our jobs to constantly communicate to all tenants and installation activities NEPA's role in doing the right thing and how it can be accomplished at our installations. Keep looking for those elephants!



CREO
Nine State Area of Responsibility

CREO Calendar
DoD REC Region VII
Army RECs Regions VI & VII

7/11	Southwest Strategy SIWG Meeting, Albuquerque, NM
7/18-19	Southwest Strategy Tribal/Federal Workgroup Mtg., Santa Fe, NM
7/18	RAB Fort Riley, KS
7/24-27	DoD Indian Cultural Communication Training, White Sands MR, NM
7/27-28	Missouri DNR Environmental Conference, Osage Beach, MO
8/4	Army Environmental Center Change of Command, APG, MD
8/8	Southwest Strategy Tribal/Federal Workgroup Mtg., Phoenix, AZ
8/13-15	ECOS Meeting, Anchorage, AK
8/15	Army Storage Tank Work Group Mtg., Colorado Springs, CO
8/16-17	Army Water Issues Work Group Mtg., Colorado Springs, CO
8/21-24	Joint Service P2 & HW Conference, San Antonio, TX
8/24	Texas P3 Meeting, San Antonio, TX
8/28-9/1	Southwest Strategy Tribal/Federal Relation Training, Hon Dah, AZ
9/7	CWAP FACTS Meeting, Osage Beach, MO
9/8-9	Missouri Watershed Conference, Osage Beach, MO
9/12-13	KDHE Annual Meeting, Topeka, KS
9/13-15	Region VII P2 Roundtable, Topeka, KS
10/11	Missouri Military Environmental Group Meeting, location TBD
10/14-18	Texas Recycling Summit-Coalition 2000, Houston, TX

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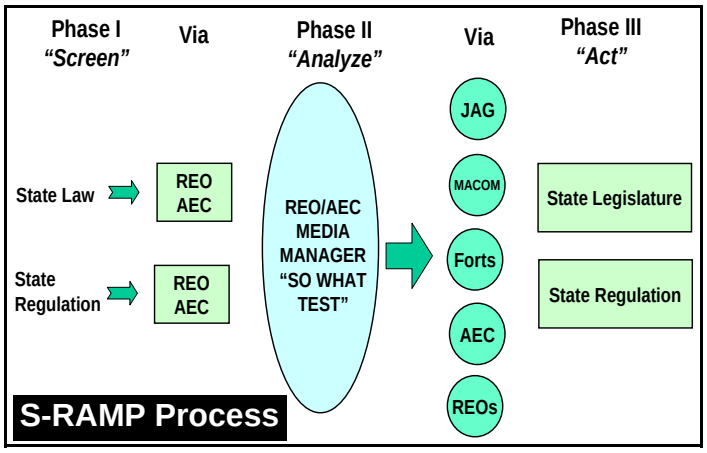
Gary Zolyak - (410) 436-1275

Army's State-Regulatory Analysis and Monitoring Program (S-RAMP) in Action – Serving the DoD Community

By Steve Scanlon
CREO Region VII REC, Versar Inc.



All of us are probably familiar with the "law of unintended consequences." Anyone who deals with legislation and rule making has at one time or another experienced an undesired outcome, as the result of the legal interpretation of language in a bill or rule that was never anticipated.

For example, a state passes a law to ban open burning, intending to eliminate the burning of yard waste in urban areas. One of the unintended consequences is a ban on Open Burning/Open Detonation (OB/OD) operations at an ammunition plant in a remote area that is a major employer for the local community. The plant loses business, has to cut back the work force, and the local economy suffers.

One of our goals in the Regional Environmental Offices (REOs) is to review state environmental legislation and proposed rules to try and identify those unintended consequences for DoD facilities that can be eliminated or minimized, if caught and corrected during the legislative or rule making process. With so many bills and rules to consider – along with the numerous amendments that are proposed – some of these bills and rules are bound to slip through our screening process and come back to haunt us. All is not lost when this happens, though. The REO can still intercede for an installation that finds itself caught between federal guidance and state law or regulation.

In one such recent case, an installation was notified that they were in violation of state law that required the payment of a tipping fee for Construction and Demolition (C&D) waste disposed of in the installation's on-post C&D landfill. Normally, DoD facilities pay state fees that cover the reasonable costs of administering a program, etc. However, this state law happened to exempt state, county and local government entities from paying the "fee", but did NOT exempt the federal government from the same. This exemption of local and state government entities, but not the federal government, made this "fee" a "discriminatory tax" according to the legal analysis detailed in the case of Massachusetts v. United States, 435 U.S. 444 (1978). The federal government, however, does not pay "taxes."

The installation had tried unsuccessfully to explain the Army's position to state environmental regulators formally and in writing. However, these attempts only seemed to exacerbate the situation. As in most interpersonal relations, communications is often the key. Sometimes we just aren't communicating – through no fault of anyone in particular.

The installation involved asked their REO for assistance in this matter. Working as a team with the Major Command and the installation SJA and DPW, the REO arranged for a face-to-face meeting

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1999
Department of the Army
KEITH L. WARE AWARD
Third Place

Category B
Army-Funded Newspapers, Small

Environmental Monitor
Army Central Regional Environmental Office

JOHN G. MYERS, JR.
Major General, GS
Chief of Public Affairs

LOUIS CALDERA
Secretary of the Army

The Army Central Regional Environmental Office's *Environmental Monitor* was recognized by the Secretary of the Army and Army Chief of Public Affairs for its journalistic excellence. "This program continues a long tradition of recognizing print and broadcast journalists who excel in telling the Army's story," said John G. Myers, Jr.; Major General, U.S. Army Chief of Public Affairs. The annual Keith L. Ware competition is an opportunity for journalists and broadcasters from the Department of Army to earn recognition for their professional excellence and dedication throughout the contest year. For more information on this awards program, visit the Keith L. Ware website at http://www.dtic.mil/armylink/ware/.

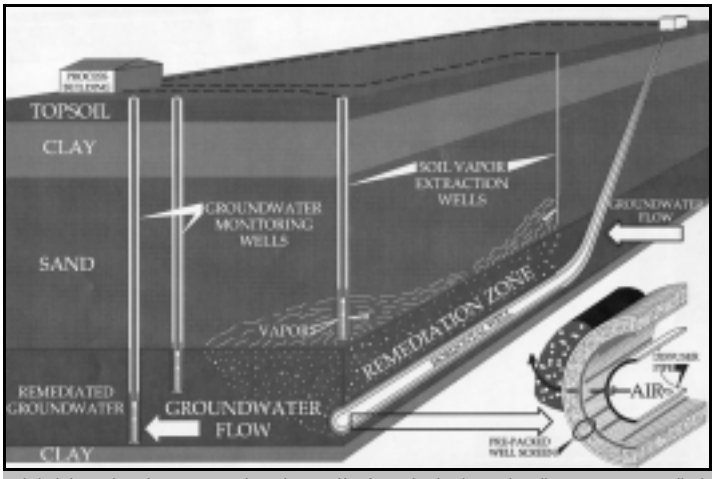
Innovative Technology has Potential Worldwide Application and Earns the Kansas City District National Recognition

By Steve Scanlon
CREO Region VII REC, Versar Inc.

Trichloroethylene (TCE) is one of the most prevalent pollutants of groundwater on the planet. Innovative technologies tested by the Kansas City District – U.S. Army Corps of Engineers (KCDCOE) at the Blaine Naval Ammunition Depot (NAD) may revolutionize remediation of this chlorinated solvent at numerous sites around the world.

Background. Blaine Naval Ammunition Depot is a formerly used defense site near Hastings, Nebraska, that once encompassed more than 48,000 acres and produced as much as 40% of the munitions used by the U.S. Navy in World War II and the Korean Conflict. Although the plant was decommissioned in 1968, its lasting legacy has been one of the largest TCE plumes in the United States, which earned it a place on EPA's National Priority List. TCE had been used at the depot to clean equipment. It was discharged to the ground, where it eventually migrated through the soil to the aquifer below. The solvent plume had contaminated six square miles of the alluvial aquifer underlying the NAD.

The KCDCOE began work on the cleanup of the depot back in 1987. Eight source areas had to be addressed, so the KCDCOE selected and tailored individual treatment methods for each source. The NAD, in effect, became a test bed for a number of small scale or pilot studies to test new remediation technologies in the field. According to Allen Tool, the District's Innovative Technology Advocate, "...visionary project management has been the key to opening the door to these technologies."



Air is injected under pressure into the aquifer from the horizontal well — a process called air sparging. The dissolved trichloroethylene is stripped from the groundwater as it comes in contact with the air. The contaminated vapors move upward and out of the aquifer where they are collected by soil vapor extraction wells.

An Award-Winning Solution. One innovative approach tested by the Corps involved the application of two technologies – air sparging and *in-situ* bioremediation - to remove the TCE from the upper portion of the deep alluvial aquifer. A unique feature of this remedy was the horizontal well that was constructed 127′ below the ground surface and oriented perpendicular to the normal flow of the groundwater (see figure). This design allows the natural flow gradient to bring the groundwater through the treatment zone above the well without the need for pumping. The horizontal well creates a curtain of bubbles that strips the TCE from the water. Methane, nitrogen and phosphate are added to the sparged air to stimulate the growth of the naturally occurring mi-

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Fort Hood Celebrates Earth Day with Action

A Model for Success

From Fort Hood Staff Notes

Earth Day, 22 April 2000, marked the fifth year that Fort Hood actively participated in an intensive outreach program. The Directorate of Public Works, Environmental Division, lead the Earth Day activities. Fort Hood's Earth Day Planning Committee Members included the Natural Resources Team, Cultural Resource Team, HAZMAT and HAZMART Team, and the Recycle Team.

Spring Cleanup, 3-7 April 2000, was Fort Hood's main activity for Earth Day 2000 and kicked off Fort Hood's Earth Day celebration. The III Corps Commander personally provided guidance as to what he would be looking for during his Spring Cleanup flyover. The instructions included cleaning offices, motor pools, and barracks, and maintaining grounds around homes and work areas. Approximately 30 tons of materials were accumulated to include five 40-yard roll-offs of cardboard and five 40-yard containers of concertina wire, scrap metal and scrap wood.

The semi-annual Recycle Ceremony was hosted 12 April 2000 by Fort Hood's Recycle Team. The ceremony increased awareness of the importance of protecting the environment and ways to increase unit participation in the Recycle Buy Back program (RBBP). Over $20,000 has been paid to the RBBP. Units can use this money for their MWR activities. Awards were presented to the top ten units participating in the Recycle Incentive Program, which contributed 223,000 pounds of recyclable materials. This was 20 percent of the total material turned in for the past six months.

The commissaries were also recognized for their recycling efforts. The two commissaries have diverted 180 tons of cardboard, valued at $18,000 for 1st and

(Continued on page 11)

Journey of the Corps of Discovery Lewis and Clark Expedition - Army Role

By Steve Scanlon
CREO Region VII REC, Versar Inc.

As the country prepares to celebrate the bicentennial of the Lewis and Clark Expedition, the Army has a golden opportunity to showcase the role of the Army in exploring the frontier and opening the west, as well as our continuing contribution to stewardship of the natural resources on millions of acres of Army property and thousands of river miles managed directly or indirectly by the U.S. Army Corps of Engineers.

The expedition of the Corps of Discovery was an Army mission – undertaken by individuals who were either inducted into the U.S. Army or were contracted by the Army. From May 14, 1804, until September 23, 1806, these intrepid explorers braved many dangers to chart the course of rivers and record the geographic features and indigenous species in the vast territory acquired by the United States in the Louisiana Purchase.

At their Fifth Annual Planning Workshop of the Lewis and Clark Bicentennial Council, held in Kansas City, Missouri April 25-28, 2000, a consortium of federal, state and local government agencies, Indian tribes and private organizations continued their development and coordination of an estimated $350 million in projects and events planned for the bicentennial observance from 2003 to 2006.

Tourism surveys indicate that millions of tourists from the U.S. and abroad are expected to visit some portion of the Lewis and Clark trail during this period. This will place tremendous demands on many federal and state agencies that must provide for the safety and comfort of these visitors, while minimizing their impact on the

(Continued on page 10)

Captains Meriwether Lewis and William Clark once again stand atop a bluff overlooking the confluence of the Kansas and Missouri Rivers – just as they did nearly 204 years earlier. Only this time, their images have been cast in bronze by sculptor Eugene Daub. Captured as well are other key members of the party: Sacagawea - the expedition's Native American guide of the Shoshoni tribe; York - the only African American on the expedition; and Captain Lewis' trusted servant; and Seaman – Lewis' beloved canine companion on the historic journey.

U.S. EPA Region VII Federal Facilities Conference with DoD Breakout a Success

By Diana Jackson
EPA Region VII Federal Facilities Coordinator

The U.S. Environmental Protection Agency, Region VII recently hosted the Federal Facilities Conference at the Regional Office on May 9-10, 2000. The theme was *"Aiming for Environmental Excellence Through Partnership."* The conference was highly successful in achieving its goal of partnership. Approximately 73 attendees participated in the two-day event. Feedback from conference attendees has been extremely positive.

This year, the conference was planned in conjunction with the Kansas City Metropolitan Green Purchasing Vendor Fair and the DoD State Military Environmental Group (MEG) Meeting. The Kansas City Vendor Fair provided information on how and where to purchase "green" or environmentally preferable products. Shuttles were provided from the Regional Office to the Fair. The DoD State MEG meeting provided a forum for installation environmental coordinators to share information and to discuss issues with state and federal environmental regulators. In addition, tours of the new Regional Office building were conducted which showcased its wide range of environmental features from energy efficient windows and lighting to an advanced water management system. The conference's partnership theme was highlighted by presentations on Community Based Environmental Protection, the Clean Water Action Plan and the Unified Federal Policy, Brownfields and Partnerships to Manage the Methamphetamine Crisis. Break out sessions provided an overview of regulatory and informational issues that concern federal facilities as well as information on Recycled Content Products and Environmentally Preferable Purchasing, Bio Based Products and Energy Star Procurement, Quality Assurance, Environmental Justice, and the National Environmental Policy Act. Attendees represented DoD, DoE, FAA, FDIC, IRS, NOAA, VA and state agencies. Speakers included various representatives from Region VII programs, the Army Environmental Center, and the White House Task Force on Greening the Government Through Waste Reduction and Recycling. A presentation on "Environmental Management Reviews" was given by Mr. Greg Snyder, Chief, Planning, Prevention and Compliance, Federal Facilities Enforcement Office (FFEO), Office of Enforcement and Compliance Assurance (OECA).

If you have any suggestions or comments for future conferences and workshops, please forward them to Diana Jackson at (913) 551-7744 or *jackson.diana@epa.gov*.

Matters of Interest to All DoD Components

MTBE and DoD Installation Ramifications of Phase-out

By Giorgio DeShaun Ra'Shadd

Captain, Judge Advocate - US Army Reserves, IRR

Introduction. Methyl tertiary butyl ether (MTBE) is a widely available and cost effective oxygenate which is often combined with gasoline to promote cleaner air. MTBE is extremely soluble in water and has been found in soil and groundwater near leaking storage tanks. Due to MTBE's solubility, it is difficult to remediate and has become the second largest groundwater contaminant behind nitrates. Although there is no regulatory standard established for MTBE in terms of an unsafe level in drinking water, in 1997 EPA issued a health advisory level for MTBE at 20-40 ppb. Recently, EPA formally began regulatory action to eliminate or phase down MTBE. In March, the Clinton administration announced new proposals to reduce or eliminate the use of MTBE as a fuel additive and boost the use of safer, renewable alternatives like ethanol.

MTBE Detection. Although MTBE detection is related to factors such as population density and primary land use, the occurrence of MTBE in surface and ground water is most strongly related to its use in gasoline. One study revealed that the use of MTBE, as opposed to another oxygenate, in reformulated gas (RFG) areas results in a significant increase in the detection frequency of MTBE in both surface and ground water.

Usage and Effects MTBE. MTBE effectively reduces smog but pollutes groundwater. Most MTBE contamination enters the water supply from leaking underground storage tanks (USTs). Because of the sheer enormity of numbers of USTs in use and out of use but abandoned, the potential for expansion of the MTBE risk is exponential. The only way to reduce the effects of MTBE contamination of wells and aquifers is to reduce the rate of leakage.

Underground Storage Tanks. The primary Fiscal Year 1999 focus for the national UST Program was to help ensure that all USTs complied with EPA and state requirements for leak detection and the 1998 deadline for upgrading, replacing, or closure of substandard tanks. This has been expensive and cost prohibitive to many businesses. The Senate has developed a means of lessening the economic impact through Senate Bill 2503 which has yet to become law.

Senate Bill 2503 was introduced on 3 May 2000. The bill would amend the Clean Air Act to authorize states to regulate fuel additives and require at least 85% of funds appropriated by EPA from the leaking storage tank trust fund be distributed to states for corrective actions. The bill is presently referred to the Senate Environmental and Public Works Committee.

The Clean Air Act Amendments of 1990. Legislative changes to the Clean Air Act are required to allow EPA to reduce or eliminate the use of MTBE and to allow the use of safe alternatives to RFG. This is because the 1990 CAA Amendments mandate that oxygen compounds be added to gasoline in parts of the country that do not attain ambient air quality standards for carbon monoxide and ozone. Two primary areas of oxygen use were specified by the amendments: One area is the oxygenated fuels program, in which gasoline must contain 2.7% oxygen by weight during the cold season in areas that fail to meet the National Ambient Air Quality Standards (NAAQS) for carbon monoxide. The second area is the reformulated gasoline program, in which gas must contain 2% oxygen by weight year round in areas having the highest levels of tropospheric ozone. The role of these oxygenates in gasoline is to increase octane and improve air quality from tailpipe emissions. Gasoline can contain up to 15% of MTBE by volume.

Reformulated Gasoline Program. Congress specified that oxygenates be added to gasoline to make RFG. Oil companies were allowed to choose which oxygenate to use for this process, and for cost effectiveness reasons, manufacturers chose to use MTBE. RFG is gasoline blended to burn cleaner and reduce smog forming and toxic pollutants.

Classification and Regulation of MTBE. With multiple individual states proposing and enacting legislation to reduce, eliminate or totally ban the use of MTBE within their borders, and different bills being offered in congress to do the same things, the installation environmental coordinator and environmental attorney must be cognizant of the pace and change in federal and state laws. The EPA seems to be taking the lead in this regard based upon new policy by the Clinton Administration.

White House Policy on MTBE. On 20 March 2000 the Clinton Administration announced major new actions to eliminate or reduce the use of MTBE and to boost the use of safer renewable alternatives. The legislative framework sent to Congress includes recommendations to amend the Clean Air Act to reduce or eliminate the use of MTBE, and to replace the existing oxygenate requirement in the Clean Air Act with a renewable fuel standard for all gasoline.

MTBE and the Long View. The EPA plans to eliminate the use of MTBE in gasoline through rule making under Toxic Substance Control Act (TSCA) rule. The lengthiness of the rule making process, however, is such that a grievous impact on water quality in affected areas would result. Understanding the length of the administrative process, some states have acted swiftly on their own to ban MTBE. New York and California come to mind as two such states that have moved to ban MTBE use within its borders by both executive order and by legislation.

(Continued on page 11)

U.S. Geological Survey – Science for a Changing World – Why should you care?

By William J. Herb
USGS Liaison to the Army Environmental Center

The U.S. Geological Survey (USGS) recently changed its slogan from "Earth Science in the Public Service" to "Science for a Changing World." Why should someone at a DoD installation care that a relatively obscure agency in the Department of the Interior changed its slogan?

Well, I can think of at least two reasons. The first, and most important, reason is that the USGS just might be able to help you to understand some of your environmental issues well enough for you to develop solutions. The second reason is that the USGS is undergoing changes that will make it even more useful to you.

The USGS recently added a new 1,950-person Biological Resources Division. The addition of this new division made the "earth science" part of the old slogan obsolete, and the ever-changing face of the traditional earth sciences dictated that the agency's approach change with the times. In the almost 6 years that I have been in my liaison position here at the Army Environmental Center, the USGS has undergone numerous changes to make it more internally consistent and more "user friendly."

All four USGS divisions (geology, maps, hydrology and biology) are united by a single goal: providing relevant, impartial scientific information about the natural sciences and support systems for these sciences. Instead of operating in the "stovepipes" of the three traditional divisions and the new, fourth division, the re-engineered USGS integrates physical and biological research into four crosscutting themes—natural hazards, natural resources, environment, and information management. This integrated approach builds strong multidisciplinary teams of scientists focused on applied research and results that people (and DoD installations) can use.

To help reduce the toll exacted by natural hazards, the USGS maintains a number of research and monitoring programs across the United States. A network of more than 7,000 stream-gaging stations provides data on floods and droughts. Three volcano observatories assess dangers from active volcanoes in Alaska, Hawaii and the Cascades Range in Washington, Oregon and northern California. The National Earthquake Information Center works with partners at state and regional levels and around the world to monitor earthquake activity to reduce the human and economic losses in the conterminous United States and Alaska. USGS scientists are studying emerging diseases such as cryptosporidium, the West Nile virus and Valley Fever to understand wildlife diseases and their effects on human health.

USGS studies of water supplies, minerals and energy deposits, and our Nation's wealth of plants and animals provide essential information to managers, regulators, industry, and the public for sound decisions on our unique resource heritage. Through the National Water Quality Assessment Program, USGS scientists track the quality of our surface water and ground water resources in major watersheds across the country. USGS scientists monitor trends and statistics for more than 600 mineral commodities, and develop national, regional, and local assessments to determine the quantity of mineral and energy resources. In cooperation with states, universities, and local groups, USGS scientists are monitoring the health of America's biological resources from polar bears in Alaska to manatees in Florida.

USGS geologists, biologists, hydrologists, cartographers, and others are working with federal land managers to remediate contamination associated with the more than 500,000 abandoned mines that dot the landscape of the United States. The USGS is studying such invasive plants and animals as brown tree snakes, leafy spurge, and zebra mussels to determine the best ways of controlling their spread, and to mitigate the billions of dollars in damage and destruction of native species.

An essential part of the USGS mission is making sure that the results of its scientific studies are available to those who need the information. The USGS home page (http://www.usgs.gov/) provides access to more than 100,000 pages of information. At the USGS EROS Data Center in South Dakota, more than 12 million aerial photographs and satellite images are archived and available for sale. USGS topographic maps have provided an accurate foundation for planning and decision making for the past 100 years, and today geospatial information is available in geographic information systems and a wide variety of mapping products.

As part of its Department of Defense Environmental Conservation (DODEC) Program, USGS has two hydrologists on loan (including me) to the Army and Air Force, respectively. Additionally, the USGS has designated specific Points of Contact for the Army Environmental Center, Air Force Aeronautical Systems Command, Air Force Reserve Command, Army Training and Doctrine Command, Army Reserve Command (stormwater issues), Army Forces Command, Army Materiel Command, Army National Guard, Army Industrial Operations Command, Navy Northern Division, Navy Southern Division, Navy Engineering Field Activity Northwest, and the Navy Engineering Field Activity Chesapeake. The USGS has Memorandums of Understanding (MOUs) with these service entities as well as with the Deputy Under Secretary of Defense (Environmental Security). Additionally, many individual installations have MOUs with local USGS offices. Such installations include, but are not limited to, Aberdeen Proving Ground, Hill Air Force Base, Missouri Army National Guard Lewis and Dugway Proving Grounds.

(Continued on page 10)

Other People's Money

From Staff Notes

At a time when resources to implement and maintain environmental projects and programs seem to be getting scarce, staff must keep a lookout for and take advantage of free or low cost resources available to help carry out their mission. This feature's goal is to identify *other people's money* that is available to help support your mission.

These resources do not just include cold cash, but also include things like technical expertise, grants, training or even things like recyclables for re-use.

If you have or know where to find these types of resources please let us know and we will post it here (see contact information on back cover).

Reap the Benefits of Recycling USACHPPM Offers Affirmative Procurement Seminar

The U.S. Army Center for Health Promotion and Preventive Medicine (USACHPPM) now offers training for Army installation personnel procuring goods and services with federal funds. The awareness training – which focuses on buying recycled content products – is in response to Executive Order (EO) 13101, "Greening the Government through Waste Prevention, Recycling, and Federal Acquisition." The EO requires federal purchasers to identify and target products made with recycled content in place of those made with virgin materials, a policy called "affirmative procurement" (AP). The U.S. Environmental Protection Agency publishes Comprehensive Procurement Guidelines, or CPG's, which identify the different products to be considered and purchased. There are currently 54 items identified, including such diverse items as paper and paper products, lubricating oils, carpet, floor tiles, transportation products, compost, and trash bags. In addition, the EO calls for consideration of other factors in the buying process, such as packaging, hazardous content, product reusability, or ability to be recycled.

Seminar topics include: Background on Affirmative Procurement, and Why It Makes Sense; EPA's Comprehensive Procurement Guidelines; EPA Compliance Inspections – What They Will Look For; Implementation Guidance – Where to Find Products, How to Read Labels; Federal Acquisition Regulations, and Writing Contracts to Include AP; Reporting and Tracking of AP Purchases; and Environmentally Preferable Purchasing.

The half-day seminars are offered at installations to encourage maximum attendance. For information, visit CHPPM's web site *at http://chppm-www.apgea.army.mil/gwswp/afirmpro.htm* or contact Ms. Pat Rippey, DSN 584-5201, or commercial 410-436-5201.

Funds Still Available For Two Conservation Programs

Streamside Forests: Lifelines to Clean Water. This program is designed to help children and others learn about protecting water resources by working with installation staff to help restore a streamside ecosystem in their own community. The program provides an opportunity for military personnel to highlight the Defense Department's role in improving water quality, and to illustrate how national security and environmental protection go hand-in-hand.

Sustaining Our Forests, Preserving Our Future Funding Program. The Deputy Under Secretary of Defense for Environmental Security has established this funding program to ensure that the integrity of our forested lands remain intact. The program is designed to help military installations across the country to sustain, manage and restore our forests.

Information and applications for both of these programs can be found at *http://www.denix.osd.mil.*

S-RAMP *(continued from page 3)*

with the Program Director and legal staff of the state agency responsible for oversight and enforcement of this law. The REO's regional counsel explained the Massachusetts 3-pronged test of how the federal government determines whether an item is a fee or a tax. He also provided proof that the federal government was paying state fees that met the criteria of the Massachusetts test.

As a result of this meeting, the secretary of the state's environmental agency issued a letter exempting all federal facilities in the state from payment of this fee. The state agency also proposed legislation to correct the language of the state statute.

The REO's job was not over, however. When the bill to amend the statute went before the House Environmental Committee of the state, the CREO wrote a letter to the Committee Chairperson explaining the facts and conflicts that are in the existing law.

This story has a happy ending. The bill passed the legislature and was signed into law by the governor. The installation has resolved the NOV and does not have to pay the fees and will be treated the same as other federal and state agencies. Everyone feels better about a situation that could have deteriorated relations between the Army and state environmental regulators.

The moral of this little story is this: If your installation identifies a bill or rule that will have an inordinate impact on DoD facilities, the REO is here to help. If the installation finds that it is "in a box" between federal and state requirements, the REO may be able to help resolve your predicament.

Questions concerning the the CREO's actions in resolving this "fee" versus "tax" dispute should be referred to Steve Scanlon at 816-983-3445 or at *stephen.c.scanlon@usace.army.mil*.

Questions regarding the legal case Massachusetts v. United States and the "3-pronged test" detailed in the Massachusetts case can be referred to Gary Zolyak at 410-436-1275 or at *gary.zolyak@aec.apgea.army.mil*.

KCDCOE *(continued from page 4)*

croorganisms. The enzymes produced by the microorganisms degrade the TCE. Extraction wells located above the horizontal well collect the soil vapor containing TCE under a vacuum and bring it to the surface for treatment. Clean vapor is then released to the atmosphere.

In recognition of this revolutionary innovation, the KCDCOE was recently honored with a prestigious Federal Design Achievement Award by the National Endowment for the Arts. The federal design achievement awards are presented every four years. More than 300 entries competed nationally. The NAD project was one of 35 designs recognized at an awards ceremony in Arlington National Cemetery on April 20, 2000.

The Federal Design Achievement Award is only the most recent recognition the District has received for this project. In 1996, the District received the U.S. Army Corps of Engineers' 1996 Design and Environmental Honor Award. In 1997, the American Consulting Engineers Council presented the District with their 1997 Grand Award. The Kansas Consulting Engineers also recognized the NAD design that year with their Environmental 1997 Engineering Excellence Award. The State of Nebraska also honored the Corps with its 1998 Environmental Excellence Award. The kudos may not be over yet.

The Payoff. Testing innovative technologies certainly involves some risk and uncertainty. For example, horizontal drilling is a common practice in the pipeline industry, where it is used for river crossings. However, the horizontal "well" designed for this project would be twice the depth of anything previously attempted. It also had to be precisely installed to avoid penetrating a semi-permeable clay boundary layer at 130' deep that protected the lower aquifer from contamination.

Posing at the ceremony for the Blaine NAD Project are, L-R: Arbor Drinkwine - KCDCOE, Rich Johannes - Woodward-Clyde, Vickie Murth - NDEH, Dale Moeller - KCDCOE, Mirek Towster - KCDCOE, Vincenzo Crifasi - KCDCOE, and Wayne Smith - Woodward-Clyde.

Did the outcome justify the investment? Mirek Towster and Brian Roberts, two project engineers from the District, clearly think so. According to Towster, "…the application of these two technologies is reducing the TCE in the groundwater from 5,000 parts per billion to below the drinking water standard of 5 ppb." Vicenzo Crifasi of the Environmental Branch of the KCDCOE points out that the NAD design not only has potential worldwide application - it also "remediates the environment, while leaving the natural ecosystem intact."

Conclusion. The NAD design is the only environmental project that advanced in national competition for the Presidential Awards for Design Excellence 2000. As the title suggests, the Presidential Awards for Design Excellence are awarded by the President for the highest quality of design in accordance with international standards. If the potential benefit of an innovation is a consideration, then the KCDCOE's design should capture this prize.

Fort Riley *(continued from page 1)*

Fort Riley, KS, won the historic district category. Its Main Post Historic District contains 282 buildings, along with monuments and structures. Most were built between 1855 and 1940 for use as barracks, stables, gun sheds and living quarters. Designated an historic district in 1973, almost all are still being used.

According to Dr. Richard Shields, the post's cultural resources program manager, "We had these barracks and other buildings and tried to find a way to bring them into our mission. We wanted to reuse them in a manner that one, preserves the overall integrity of the building and its structure, but also adapts it to the proper mission uses that we had to have for our installation. They are beautiful assets."

Shields said some of the old light artillery and cavalry post's gun sheds and stables have been converted to office space and the military clothing sales store. Also, one of the indoor, dirt floor, riding arenas is now a field house.

Debora Richert, the director of environment and safety at Fort Riley, said her team's job was made simpler because of the support they received from their bosses. "The easiest part of the restoration effort is the command involvement and their desire to retain the historic aspects of Fort Riley. We've done that through the adaptive reuses rather than by just tearing down the buildings."

"Sometimes you don't know what you're getting into until you open the wall," said Rahim Borhani, historic architect at Fort Riley. "Maybe something is missing or something is deteriorated, but part of the element of historic preservation is that you have to come up with an idea that matches it, that looks like the original."

Another part of historic preservation is surprise. For example, Borhani said they found lights from the 1880s that were long forgotten in their attic storage space. After cleaning and polishing, some of these now hang in one of the buildings. "They were surprises. We didn't know those lights existed. But they were there. We found them and we used them."

Lewis & Clark *(continued from page 5)*
environment.

Congressional Support. Both the U.S. House of Representatives and the U.S. Senate have formed Lewis and Clark Caucuses (i.e., 40 Representatives; and 18 Senators). Congressman Ike Skelton of Missouri, a member of the House Caucus, addressed the Workshop in April. In his remarks, he praised the grassroots efforts to commemorate the accomplishments of the U.S. Army.

Executive Branch Involvement. Eighteen federal agencies have formed a Federal Interagency Coordinating Committee for the bicentennial commemoration and have signed a Memorandum of Understanding agreeing to collaborate and coordinate on various activities. The Chief of Engineers, U.S. Army, is a signatory to the MOU and represents the Department of Defense on the committee.

State Leadership. While the kickoff event for the Bicentennial will take place at Monticello, VA, on January 18, 2003, many of the events and projects will focus on the eleven states through which the Corps of Discovery traveled on their journey from St. Louis, Missouri to Fort Clatsop, Oregon.

In Region VII, the governors of all four states (i.e., Iowa, Kansas, Missouri and Nebraska) have appointed commissions or committees to spearhead planning and project execution in each state. For example, the Governor of Missouri appointed a commission in 1998 to address issues such as interpretive signage, education, tourism and product marketing. The Missouri Commission has their own web site at *http://lewisandclark.missouri.org/*. This is very typical of the other states on the Bicentennial Council. In most states, the state historical society is playing a pivotal role in the planning and execution of state-sponsored projects and events.

The Indian Tribes. The Lewis and Clark expedition could not have succeeded without the support of many Native American communities. However, commemoration of the expedition has a different meaning for Native Americans. Where Americans of European ancestry view the expedition as the event that opened the west, many Native Americans view it as the "beginning of the end" for their culture. Despite this, many of these tribes are heavily involved in planning events and exhibits. Because this will place significant demands on their resources, early coordination with Indian tribes is crucial in the planning process.

Army Activities. The Center for Military History has the lead for bicentennial planning in the Army. A committee has been formed at Headquarters level to coordinate activities nationally. Over the course of the next few months, this committee hopes to disseminate an overall Lewis and Clark Bicentennial Plan for the Army, as well as establish a web site where installations and military organizations can go for information, ideas and guidance.

The Army Corps of Engineers has established a framework for their bicentennial activities, with the publication of their National Strategic Plan on February 28, 2000 and the appointment of a National Coordinator located in Omaha, Nebraska. As stated in the Engineer's National Plan, the primary goal of the Corps Districts will be "...to accommodate the anticipated increased visitation, ensure a safe visitor experience, and provide information on the role of the Army in the Lewis and Clark Expedition – with minimal impact on the environment." The national plan and the supporting District strategic plans discuss numerous products and activities planned in support of the Bicentennial commemoration, which include everything from interpretive centers to pamphlets that explain to boaters how to use locks along the river.

The Frontier Army Museum at Fort Leavenworth, KS, is collaborating with several state historical societies to develop a traveling exhibit. The "Beyond Lewis and Clark – The Military Exploration and Protection of Our National Resources" exhibit is scheduled to be displayed beginning in the summer of 2003 in Virginia, Kansas, and Washington State. From 2006 on, it will be on permanent display at Fort Leavenworth. The Center for Military History is on the board overseeing development of the exhibit.

Conclusion. As one Native American spokesman at the Council's National Planning Workshop observed, "…this bicentennial is all about environment." Millions of Americans and tourists from Europe, Japan and elsewhere hope to see at least some vestige of the same "environment" Lewis and Clark recorded in their journals 200 years ago. At this point, the opportunities to educate Americans and the world about the Lewis and Clark expedition, our rich cultural heritage, and our unsurpassed natural wonders are limited only by our imagination and resourcefulness.

USGS *(continued from page 7)*

Each year, the DODEC program hosts an annual conference, open to all DoD participants, that utilizes both DoD and USGS speakers to articulate the needs of DoD and to highlight the capabilities and accomplishments of the USGS across a broad range of environmental issues in military and related settings. The 2000 meeting will be held in San Diego, California, from May 1-5.

The USGS is a resource that is available to all DoD components. It can provide high-quality, unbiased scientific analyses that are generally accepted by other scientists, regulators, and the general public. It can be a valuable arrow in your quiver of environmental management tools.

If the USGS may be able to assist to you in a specific situation, please contact Mr. Herb at the U.S. Army Environmental Center, (410) 436-7096, DSN 584, or *william.herb@aec.apgea.army.mil,* and he will connect you with an appropriate point of contact.

MTBE *(continued from page 6)*

Executive Orders. On 25 March 1999, California Governor Gray Davis issued and executive order for the removal of MTBE from gasoline in the state at the earliest possible date, but no later than 31 December 2002. The governor then requested a waiver from the EPA from the requirements of abiding by the oxygenated fuel requirement of the Clean Air Act until the state of California ban on MTBE took full effect and was fully implemented. However, on 19 May 2000, 48 members of the House of Representatives submitted a letter to EPA administrator Carol Browner indicating it was their belief that it was illegal to grant California a waiver for certain oxygenated fuel requirements.

State Legislation Banning MTBE. On 24 May 2000, Governor George Pataki of New York signed a bill to ban the sale of and use of MTBE in the state. Bill A. 5513 takes effect 1 January 2004. The bill quickly followed the adoption by the New York Department of Environmental Conservation of regulations that toughen the state's water quality standards by specifically reducing the amount of MTBE permitted in surface and ground water from 5 ppb to 1 ppb.

Remediation by Administrative Rule Making. The EPA will forward a proposed TSCA rule to the White House Office of Management and Budget in October 2000 for an estimated 90-day review. The proposal is expected to be published in early 2001. The rule would ban MTBE if the agency determines presents an unreasonable risk to human health or the environment. Presently, the EPA cannot substantiate a conclusion that MTBE poses a toxicity-based threat to human health or the environment.

Conclusion. It is expected that the EPA and Congress will be addressing this matter simultaneously. Installation environmental coordinators must be alert for movement on both fronts. Installation environmental coordinators and environmental attorneys also will want to monitor water resources for the presence and level of MTBE, and project environmental and health implications due to continued usage during the anticipated federal phase-out period (verses an immediate total ban of the use of the substance). For water sources that are shared by military and civilian communities, or that are interconnected in some manner, installation environmental attorneys will want to anticipate the percentage increase in MTBE presence by continued use during the phase out, the potential for run off and further degradation of municipal water sources, and any potential for legal liability. ☙

The Author, Giorgio DeShaun Ra'Shadd "Shaun" (Captain, Judge Advocate - US Army Reserves, IRR) is temporarily attached to the CREO as part of his ongoing Reserves' training. Though Shaun's home base is Fort Hood, TX, he can be contacted via the CREO at (816) 983-3548.

Ft. Hood Earth Day *(continued from page 4)*

2nd Qtrs, FY00. The commissaries are now working to divert plastic, aluminum cans, and other paper products.

On 21 April 2000, Fort Hood's Environmental Division hosted the largest visual presentation in five years. The Earth Day display has grown to one of the largest in central Texas. Environmental teams were present to provide a great educational display, including the Natural Resources Team, Cultural Resource Team, HAZMAT and HAZMART Team, and Recycle Team.

The Natural Resources Management Branch (NRMB) provided a tabletop display highlighting its Adopt-a-Lake program in an effort to raise awareness of litter problems around Fort Hood's many lakes and ponds and to encourage military units and other organizations to participate.

Various aspects of the installation's Cultural Resource Management Program were presented, with special emphasis on artifact collections management. The objective was to raise awareness about the program and the installation's archaeological resources.

Another activity was the Earth Day Coloring Contest, sponsored by the Recycle Team. Over 150 entries were received from children ranging from ages 5 to 13.

On 5 May 2000 Fort Hood personnel participated in the "Festival of Learning" at Thomas Arnold Elementary School in Salado, TX. They presented a one-hour-and-twenty-minute "Bird Adventure." The presentation included video footage of Black-capped Vireo and Golden-cheeked Warbler behavior at nests, predation events, and parasitism by brown-headed cowbirds; a discussion of some of the mammalian and snake predators on Fort Hood; and a hands-on activity in which students banded and released live cowbirds.

The colorful displays and community outreach programs gave the community assurance that Fort Hood cares about its natural resources and the conservation of our environment, not only on Earth Day, but every day, keeping in mind that the Earth is in our hands. What we have today will be our children's tomorrow - "Preserving the Past, Protecting the Future."

Fort Hood Earth Day 2000 sign. *Photo courtesy of Ft. Hood.*

Plans are already being made to ensure next year's Earth Day is even bigger and better. For additional information on Fort Hood's coveted Earth Day celebration, contact Kathy Jackson at (254) 287-6499 or at k*athy.jackson@hood.army.mil*.

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